

**Exhibit 2 to
Declaration of Mark C. Mao
ISO Plaintiffs' Unopposed
Motion for Final Approval of
Class Action Settlement**

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Google faces \$5 billion lawsuit for tracking people in incognito mode

The search giant is accused of invading the privacy of millions of Americans.



Carrie Mihalcik 

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Google headquarters sprawls across a large campus in Mountain View, California.

Stephen Shankland/CNET

Google faces a proposed class action lawsuit that accuses the tech giant of invading people's privacy and tracking internet use even when browsers are set to "private" mode. The suit, filed Tuesday in the US District Court for the Northern District of California, alleges that Google violates wiretapping and privacy laws by continuing to "intercept, track, and collect communications" even when people use Chrome's incognito mode and other private web browser modes.

"Google tracks and collects consumer browsing history and other web activity data no matter what safeguards consumers undertake to protect their data privacy," reads the complaint. The search giant surreptitiously collects data through Google Analytics, Google Ad Manager, website plug-ins and other applications, including mobile apps , according to the complaint.

The lawsuit seeks at least \$5 billion from Google and its parent company, Alphabet, according to Reuters. The complaint says the proposed class may include up to 100 million Google users and is looking for damages of at least \$5,000 per user.

Google said it disputes the claims and plans to defend itself vigorously against them.

See also

- [Google keeps a frightening amount of data on you. Here's how to find and delete it](#)
- [Two children sue Google for allegedly collecting students' biometric data](#)

"Incognito mode in Chrome gives you the choice to browse the internet without your activity being saved to your browser or device," said Google spokesperson Jose Castaneda. "As we clearly state each time you open a new incognito tab, websites might be able to collect information about your browsing activity during your session."

Plaintiffs in the case are being represented by the law firm Boies Schiller & Flexner.

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